



2014 BOROUGH OF DUMONT ORDINANCE

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Ordinance No. 1475

Date: July 31, 2014

Page: 1 of 11

Subject: Amendment of Chapter 455, Zoning

Purpose: Addition of Section 8-1

Dollar Amount:

Offered by:

Seconded by:

Prepared By: Darlene Green, Planner

Certified as a true copy of an Ordinance Introduced and Passed by the Governing Body of the Borough of Dumont on the above date at a Public Meeting by:

Susan Connelly, RMC, Municipal Clerk
Borough of Dumont, Bergen County, New Jersey

AMENDMENT OF CHAPTER 455, ZONING-RESIDENTIAL 8 DISTRICT

The Residential-8 District (R8) will encompass Block 212, Lot 20 within the Borough of Dumont. Chapter 455, Zoning, will be amended to add a new section that includes the standards for the R8 District.

§455-8.1 Residential-8 District

A. Purpose.

- (1) The purpose of the Residential-8 District is to provide a location within the Borough of Dumont that would permit the construction of a variety of housing options close to bus transit and employment opportunities.

B. Principal permitted uses:

- (1) Single-family dwellings.
- (2) Duplex dwellings, which are defined as a building containing two (2) single-family dwelling units totally separated from each other by a contiguous wall extending from ground to roof.
- (3) Townhouse dwellings, which are defined as a one (1) family dwelling in a row of at least three (3) such units in which each unit has its own front and rear access to the outside. No unit is located over another unit and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

C. Accessory permitted uses:

- (1) Permitted accessory uses associated with single-family dwellings and duplex dwellings:
 - (a) Home professions and occupations.
 - (b) Garage.
 - (c) Pool.
 - (d) Personal recreation structure, including gazebos and cabanas.
 - (e) Shed.
 - (f) Fence, fence wall and retaining wall.
 - (g) Off-street parking.
- (2) Permitted accessory uses associated with townhouse dwellings:
 - (a) Home professions and occupations.
 - (b) Garages attached to the principal structure.
 - (c) Open space and recreational facilities, including, but not limited to walkways, parks, plazas, community pool.
 - (d) Fence, fence wall and retaining wall.
 - (e) Trash enclosures.
 - (f) Signs.
 - (g) Off-street parking.

D. Prohibited uses. Any use not listed as permitted is prohibited.

E. Bulk requirements.

(1) Maximum units per acre: 8.

(2) Bulk requirements for single-family dwellings and duplex dwellings are shown below:

Minimums	Single-Family	Duplex
Lot Size	5,000 SF	8,000 SF
Lot Width	50 Feet	80 Feet
Lot Depth	100 Feet	100 Feet
Front Yard Setback	25 Feet	25 Feet
Side Yard Setback	6 Feet	10 Feet
Rear Yard Setback	30 Feet	30 Feet
Green Area	50%	45%
Maximums	Single-Family	Duplex
Floor to Area Ratio	40%	50%
Height in Feet	30 Feet	30 Feet
Height in Stories	2.5	2.5

(3) Bulk requirements for townhouse dwellings are shown below:

(a) Townhouse dwellings shall have a tract building setback of 45 feet.

1. This setback shall prohibit the construction of any buildings, parking lots or freestanding lightings within 45 feet of the entire tract perimeter.
2. This setback excludes decks and/or balconies, which have a tract setback of 40 feet.

Minimums	Townhouse
Lot Size	2,500 SF
Lot Width	20 Feet
Lot Depth	100 Feet
Building Wall Front-to-Front Setback	75 Feet
Building Wall Side-to-Side Setback	25 Feet
Building Wall Rear-to-Rear Setback	50 Feet
Building Wall Side-to-Rear or Side-to-Front Setback	35 Feet
Green Area	40%
Maximums	Townhouse
Building Length	150 Feet
Number of Units per Building	5
Height in Feet	32 Feet
Height in Stories	2.5

F. Off-street parking. Off-street parking shall be provided as required by RSIS.

G. Lighting standards.

- (1) Low-pressure sodium or mercury vapor lighting is prohibited within the R8 District.
- (2) Streets.
 - (a) Pedestrian-scaled lighting, less than fifteen (15) feet in height, shall be used along all internal streets.
 - (b) An average of one-half (0.5) footcandle illumination shall be maintained over the sidewalks.
 - (c) Street light fixtures shall be full cut off.
- (3) Parking lots. If parking lots are proposed, they shall comply with the following standards:
 - (a) Parking lot lighting shall be no more than twenty (20) feet in height.
 - (b) An average of one-half (0.5) footcandle shall be maintained within residential parking lots.
 - (c) Parking lot fixtures shall be full cut off.

H. Landscape standards.

- (1) Landscape standards for single-family and duplex dwellings:
 - (a) Street trees – public streets.
 1. Street trees shall be provided along all contiguous public streets.
 2. See subsection H(1)(b)2-6 for species and planting standards.
 - (b) Street trees – internal streets:
 1. Street trees shall be provided along both sides of all internal streets.
 2. The following street tree species are appropriate for New Jersey:
 - a. Small trees to be planted thirty (30) feet on center:
 - i. Pyramidal European hornbeam.
 - ii. Goldenchain.
 - iii. Kwanza cherry.
 - iv. Pink Flair cherry.
 - v. Okame cherry.
 - b. Average trees to be planted forty (40) feet on center:
 - i. Regent scholar tree.
 - ii. Chinese elm.

- iii. October glory maple.
- iv. Rosehill ash.
- v. Katsure tree.
- vi. Maidenhair tree.
- vii. Shademaster locust.
- viii. Coffeetree.
- ix. Greenspire linden.
- x. Village green zelkova.
- xi. Patmore ash.
- xii. Red sunset maple.

c. Large trees to be planted fifty (50) feet on center:

- i. Green mountain sugar maple.
- ii. London plane-tree.
- iii. Red oak.
- iv. Sovereign pin oak.

3. Trees shall be a minimum of three (3) inches caliper.

4. Trees shall be disease resistant and tolerant of road salts and air pollution.

5. Branching height should bear a relationship to the size and species of the tree, but shall have a minimum clearance height of seven (7) feet above grade before branching begins.

6. No more than thirty-three percent (33%) of the street trees shall be of the same species and/or variety.

(c). Existing trees. Existing trees that are eight (8) inches or greater in caliper shall be preserved to the extent possible.

(2) Landscape standards for townhouse dwellings:

(a) Tract buffer.

- 1. A minimum twenty-five (25) foot wide landscaped buffer shall be provided around the perimeter of the tract.
- 2. Buffer plantings shall consist of a combination of shade trees, evergreen trees, ornamental trees and shrubs to provide a natural looking buffer while providing a visual screen.

3. Buffer plantings shall be a mixed planting and shall include the following:
 - a. One (1) shade tree for every seventy-five (75) linear feet of buffer;
 - b. One (1) evergreen tree for every fifty (50) linear feet of buffer;
 - c. One (1) ornamental tree for every sixty (60) feet of buffer; and
 - d. Ten (10) shrubs for every one-hundred (100) linear feet of buffer.
4. Buffer plants shall be the following size at the time of planting:
 - a. Shade trees shall be planted at a minimum two and one-half (2.5) inch caliper and shall be a minimum of twelve (12) to fourteen (14) feet in height, balled and burlapped.
 - b. Evergreen trees shall be planted at a minimum height of six (6) feet, balled and burlapped.
 - c. Ornamental trees shall be planted at a minimum two (2) inch caliper and shall be a minimum of eight (8) feet in height, balled and burlapped.
 - d. Shrubs shall be of a variety that matures at a minimum height of six (6) feet and shall be planted at a minimum of thirty (30) inches in height. Fifty percent (50%) of shrubs shall be evergreen.
5. Shade trees shall be considered deciduous trees that mature to a height of fifty (50) or greater feet. Evergreen trees shall be considered trees which mature to a height of forty (40) or more feet and have a mature width of over ten (10) feet. Should narrower varieties of evergreens be proposed for buffer plantings, additional plants shall be required to achieve a visual screen.
6. No more than twenty-five percent (25%) of the plantings shall be of the same species and/or variety of plant.
7. Existing trees within the proposed buffer areas that are healthy shall be maintained and may be counted toward the planting requirements.

8. Proposed buffer plantings shall be arranged in a natural staggered pattern and shall not be lined up in straight, single rows.
- (b) Street trees – internal streets. See subsection H(1)(b)1-6 for species and planting standards.
- (c) Green areas.
 1. For every acre of green area, the following minimums shall be planted:
 - a. Fifteen (15) shade trees;
 - b. Seven (7) ornamental trees;
 - c. Five (5) evergreen trees; and
 - d. Thirty (30) shrubs;
 2. Said plants shall be the following size at the time of planting:
 - a. Shade trees shall be planted at a minimum two and one-half (2.5) inch caliper and shall be a minimum of twelve (12) to fourteen (14) feet in height, balled and burlapped.
 - b. Ornamental trees shall be planted at a minimum two (2) inch caliper and shall be a minimum of eight (8) feet in height, balled and burlapped.
 - c. Evergreen trees shall be planted at a minimum height of six (6) feet, balled and burlapped.
 - d. Shrubs shall be planted at a minimum of twenty-four (24) inches in height and/or spread.
 3. The plants shall be strategically placed to assist with privacy between units, such as building side walls and building rear walls.

I. Design standards.

(1) Architecture.

- (a) Building facades visible from a public street shall consist of brick, stone, cast stone, cedar shakes or other high-quality material.
- (b) Buildings shall avoid long, monotonous, uninterrupted walls or roof planes. Building wall offsets, including projections such as balconies, canopies and recesses shall be used in order to add architectural interest and variety and to relieve the visual effect of a simple, long wall. Similarly, roofline offsets,

dormers or gables shall be provided in order to provide architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof.

(c) Duplex dwellings and townhouse dwellings shall be designed to include building wall offsets (projections and/or recesses) as follows:

1. The maximum spacing between building wall offsets shall be twenty-five (25) feet.
2. The minimum projection or depth of any individual vertical offset shall not be less than two (2) feet.
3. The maximum spacing between roof offsets shall be forty (40) feet.

(d) The architectural treatment of the front façade shall be continued in its major features around all visibly exposed sides of a building. All sides of a building shall be architecturally designed to be consistent with regard to style, materials, colors and details.

(e) Gable and hipped roofs shall be used to the greatest extent possible. Both gable and hipped roofs shall provide overhanging eaves on all sides that extend a minimum of one (1) foot beyond the building wall. Flat roofs are permitted only as part of a green roof or renewable energy system, provided that all visibly exposed walls have an articulated cornice that projects horizontally from the vertical building wall plane.

(f) Fenestration shall be architecturally compatible with the style, materials, colors and details of the building. Windows shall be vertically proportioned.

(g) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, porticoes, porches, overhangs, railings, etc.

(h) Heating, ventilating and air-conditioning systems, utility meters and regulators, exhaust pipes and stacks, satellite dishes and other telecommunications receiving device shall be screened or otherwise specially treated to be, as much as possible, inconspicuous as viewed from the public right-of-way and adjacent properties.

(i) Bedrooms.

1. Duplex and townhouse developments.

- a. No more than thirty percent (30%) of the total unit count may be three-bedroom units.

- b. No unit may contain more than three bedrooms.
- 2. Single-family developments have no restrictions on the number of bedrooms a unit may contain.
- (j) Trash enclosures.
 - 1. Trash enclosures shall not be visible from any public street.
 - 2. All trash enclosures shall be screened by a solid masonry wall on three (3) sides and heavy-duty gate closures on the fourth side.
 - 3. The trash enclosure shall be surrounded by a mixture of deciduous and evergreen plant species.
- (k) Utilities. All utilities shall be underground.
- (2) Signage standards. The following types of signage are permitted within the R8 District:
 - (a) Monument signs.
 - 1. One (1) monument sign shall be permitted to identify the residential development.
 - 2. The total area of the monument sign, including the sign face and support structure shall be limited to forty (40) square feet.
 - 3. The height of the sign shall not exceed a height of five (5) feet above the grade.
 - 4. Monument signs shall be set back a minimum of ten (10) feet from any property line.
 - 5. A double-faced sign shall be counted as (1) sign.
 - 6. Monument signs may be illuminated by shielded floodlights only.
 - (b) Street address signs.
 - 1. Street address signage is required on each building or individual unit.
 - 2. Numbers shall be a maximum of eight (8) inches in height.

J. Affordable Housing Requirements for the Residential-8 District.

- (1) If at the time of the filing of any application for development in the R8 zoning district, the Borough of Dumont has either obtained final substantive certification under the Fair Housing Act ("FHA") from the New Jersey Council on Affordable Housing ("COAH"), not subject to any further appeal, or a final Judgment of Compliance and Repose from a court of competent jurisdiction, not subject to any further appeal, neither one of which includes the development of this site with a mandatory set-aside of affordable housing

units in the Housing Element or Fair Share Plan, there shall not be an obligation imposed on the Applicant to set-aside a percentage of the constructed units for low and moderate income households. However, in such case, if the Borough of Dumont has adopted a Development Fee Ordinance as approved by COAH or a court of competent jurisdiction, the Applicant shall remit the applicable development fee to the Borough in accordance with the provisions of the Development Fee Ordinance.

- (2) If at the time of the filing of any application for development in the R8 zoning district, the Borough of Dumont has neither obtained final substantive certification under the FHA from COAH not subject to any further appeal nor a final Judgment of Compliance and Repose from a court of competent jurisdiction, not subject to any further appeal the Applicant shall set-aside a percentage of the dwelling units approved to be available for low and moderate income households based upon the effective regulations adopted by the Council on Affordable Housing for the Third Round, or, if no effective regulations have been adopted by the Council on Affordable Housing for the Third Round as of the date of the application, the Applicant shall set-aside a percentage of affordable housing units based upon the presumptive set-asides for inclusionary developments as set forth in N.J.A.C. 5:93-1 et seq.
- (3) If affordable units are required, the developer/property owner shall be responsible for retaining a qualified Administrative Agent to manage their affordable housing program.

K. Community Impact Study.

- (1) Any application submitted to the Joint Land Use Board shall be accompanied by a Community Impact Study analyzing the proposed development and its expected impact upon existing facilities and services in the Borough.
- (2) The Community Impact Study shall address the following areas:
 - (a) Population impact. The Applicant shall provide an analysis of the number of people expected to be added to the municipal population as a result of the proposed development. The analysis shall provide the following age cohorts:
 - 1. Preschool children, zero (0) to four (4) years of age.
 - 2. School-aged children, five (5) to eighteen (18) years of age.
 - 3. Young adults, nineteen (19) to thirty (30) years of age.

4. Middle-aged adults, thirty-one (31) to sixty-two (62) years of age.
5. Senior citizens, over sixty-two (62) years of age.

(b) School impact. The Applicant shall provide an analysis of:

1. The anticipated number of pupils who will be added to the public school student population in the Borough.
2. The ability of the existing public school facilities to absorb the expected student population during a ten (10) year period.
3. The expected cost of increased teaching staff, which may be necessary as a result of the number of pupils who will be added to the student population.

(c) Services impact. The Applicant shall provide an analysis of the impact of the development upon the following services:

1. Police protection.
2. Fire protection.
3. Ambulance service.
4. Solid waste disposal.
5. Sewer.
6. Snow plowing.

(d) Financial impact. The Applicant shall provide an analysis of the revenue expected to be generated from the development proposal compared to the anticipated costs to service the development. Projected revenues and costs shall be shown for the Borough, Borough school system and the County of Bergen.

L. Off-Tract Water and Sewer Improvements. The developer shall be responsible for water and sewer infrastructure upgrades necessary for the development of the R8 District.

BOROUGH OF DUMONT

ATTEST:

Susan Connelly, RMC
Municipal Clerk

James J. Kelly, Mayor

Introduced: July 31, 2014
Adopted: